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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/666,796	09/21/2000	Teruyuki Motohashi	Q60910	6835

7590 12/17/2004  
Sughrue Mion Zinn Macpeak & Seas PLLC  
2100 Pennsylvania Avenue NW  
Washington, DC 20037-3213

EXAMINER

CHANG, ERIC

ART UNIT PAPER NUMBER

2116

DATE MAILED: 12/17/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

**Office Action Summary**

Application No.

09/666,796

Applicant(s)

MOTOHASHI, TERUYUKI

Examiner

Eric Chang

Art Unit

2116

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 03 September 2004.
- 2a) ☐ This action is **FINAL**.                      2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1-18 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-18 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).  
a) ☐ All    b) ☐ Some \*    c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)  
Paper No(s)/Mail Date \_\_\_\_\_
- 4) ☐ Interview Summary (PTO-413)  
Paper No(s)/Mail Date. \_\_\_\_\_
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: \_\_\_\_\_

### **DETAILED ACTION**

1. Claims 1-18 are pending.

#### ***Claim Rejections - 35 USC § 103***

2. The text of those sections of Title 35, U.S. Code not included in this action can be found in a prior Office action.

3. Claims 1-18 are rejected under 35 U.S.C. 103(a) as being unpatentable over U.S. Patent 5,638,421 to Serrano et al., in view of U.S. Patent 6,583,579 to Tsumura.

4. As to claims 1, 3, 5, 7, 9 and 11, Serrano discloses a device comprising a display unit [col. 4, lines 61-65]; and a detector which detects whether a specific functional part in the device, such as a radio communication unit, is in operation or not [col. 2, lines 39-55].

Serrano teaches the limitations of the claim, including that the device's transmitter operational status is determined in order to alert other portions of the device that the radio communication unit is in operation, but does not teach that current is limited to light-emitting units used to illuminate said display unit when said functional part is in operation.

Tsumura teaches a device comprising a display unit [12] and a specific functional part, such as a radio communication unit [17]. Thus, Tsumura teaches a data transmission device with a display similar to that of Serrano. Tsumura further teaches a light-emitting unit [13] comprising a plurality of light-emitting units [col. 4, lines 41-46] which illuminates said display unit [col. 3, lines 1-3]; and a controller [14] which limits a current to be supplied to said light-

Art Unit: 2116

emitting units when a specific functional part, such as a radio communication unit, in said data processing unit is in operation [col. 3, lines 1-16].

At the time that the invention was made, it would have been obvious to a person of ordinary skill in the art to employ the display dimming means as taught by Tsumura. One of ordinary skill in the art would have been motivated to do so to disable the backlight for the display unit in the device when the radio communication unit is in use.

It would have been obvious to one of ordinary skill in the art to combine the teachings of the cited references because they are both directed to the problem of responding to a change in the operational status of a specific part of the device, such as the radio communication unit, and adjusting operation of a device based on said change. Moreover, the display dimming means taught by Tsumura would improve the power efficiency of Serrano because it allowed the device backlight to be disabled whenever the radio communication unit is in operation [col. 2, lines 8-16 and 41-45]. Furthermore, Tsumura teaches that by disabling the device backlight, power consumption by the device is reduced and electronic interference with the radio communication unit is prevented [col. 2, lines 46-53].

5. As to claims 2, 4, 6, 8, 10 and 12, Tsumura discloses the light-emitting unit may not only be applied to the illumination of the display unit, but also other operational sections of the device [col. 10, lines 62-67]. It would have been obvious to one of ordinary skill in the art that other operational sections of the device would comprise an interface through which data is input into said device, wherein said light-emitting unit illuminates said interface, substantially as claimed.

Art Unit: 2116

6. As to claims 13-18, Serrano discloses a method of operating a device comprising a display unit [col. 4, lines 61-65]; and a detector which detects whether a specific functional part in the device, such as a radio communication unit, is in operation or not [col. 2, lines 39-55].

Serrano teaches the limitations of the claim, including that the device's transmitter operational status is determined in order to alert other portions of the device that the radio communication unit is in operation, but does not teach that current is limited to light-emitting units used to illuminate said display unit when said functional part is in operation.

Tsumura teaches a device comprising a display unit [12] and a specific functional part, such as a radio communication unit [17]. Thus, Tsumura teaches a data transmission device with a display similar to that of Serrano. Tsumura further teaches a light-emitting unit [13] comprising a plurality of light-emitting units [col. 4, lines 41-46] which illuminates said display unit [col. 3, lines 1-3]; and a controller [14] which limits a current to be supplied to said light-emitting units when a specific functional part, such as a radio communication unit, in said data processing unit is in operation [col. 3, lines 1-16].

At the time that the invention was made, it would have been obvious to a person of ordinary skill in the art to employ the display dimming means as taught by Tsumura. One of ordinary skill in the art would have been motivated to do so to disable the backlight for the display unit in the device when the radio communication unit is in use.

It would have been obvious to one of ordinary skill in the art to combine the teachings of the cited references because they are both directed to the problem of responding to a change in the operational status of a specific part of the device, such as the radio communication unit, and adjusting operation of a device based on said change. Moreover, the display dimming means

Art Unit: 2116

taught by Tsumura would improve the power efficiency of Serrano because it allowed the device backlight to be disabled whenever the radio communication unit is in operation [col. 2, lines 8-16 and 41-45]. Furthermore, Tsumura teaches that by disabling the device backlight, power consumption by the device is reduced and electronic interference with the radio communication unit is prevented [col. 2, lines 46-53].

### ***Response to Arguments***

7. Applicant's arguments with respect to claims 1-18 have been considered but are moot in view of the new ground(s) of rejection.

### ***Conclusion***

8. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Eric Chang whose telephone number is (571) 272-3671. The examiner can normally be reached on M-F 9:00-5:30.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Lynne Browne can be reached on (571) 272-3670. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Art Unit: 2116

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

December 10, 2004  
ec

  
LYNNE H. BROWNE  
SUPERVISORY PATENT EXAMINER  
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